

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

| | | |
|---|---|-----------------------------|
| CONNOR CROWELL, On Behalf of |) | |
| Himself and All Others Similarly |) | |
| Situated, |) | COLLECTIVE ACTION |
| |) | |
| <i>Plaintiff,</i> |) | CASE NO. 3:21-cv-517 |
| |) | |
| v. |) | JUDGE TRAUGER |
| |) | |
| M STREET ENTERTAINMENT, LLC, |) | JURY DEMAND |
| et al., |) | |
| |) | |
| <i>Defendants.</i> |) | |

**PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF THE PARTIES'
SETTLEMENT AGREEMENT AND DISMISSAL WITH PREJUDICE**

Named Plaintiff Connor Crowell, on behalf of himself and the Opt-In Plaintiffs (collectively, "Plaintiffs") in this FLSA collective action, proceeding pursuant to 29 U.S.C. § 216(b), submits this motion for approval of the parties' Settlement Agreement (attached as Exhibit 1) and dismissal of this case with prejudice.

Plaintiffs respectfully request that the Court approve this FLSA settlement because it reflects a fair and reasonable compromise of contested issues. The parties engaged in extensive, arm's-length negotiations over several weeks, initially with the assistance of Michael Russell, an experienced mediator in wage and hour litigation, and eventually through face-to-face negotiations. Ultimately, the Parties reached a final agreement on all material issues, including the amounts to be paid as damages to each of the Plaintiffs, a service payment for Named Plaintiff, service payments to Opt-In Plaintiffs whose participation in the litigation led to the settlement, and attorneys' fees, costs, and expenses.

Plaintiffs and their counsel are satisfied that the terms of the resulting Settlement

Agreement are fair and reasonable. Because the Settlement Agreement submitted for the Court's approval fully and finally resolves the claims at issue in this action, Plaintiffs further request that the Court dismiss this action with prejudice. In support of this Motion, Plaintiffs have filed a supporting Memorandum setting forth the fairness and appropriateness of each of the proposed settlement's material terms.

For the foregoing reasons and the reasons in their supporting Memorandum, Plaintiffs respectfully request that the settlement be approved.

A proposed order granting this relief is attached hereto.

Dated: November 9, 2023

Respectfully submitted,

/s/ David W. Garrison

DAVID W. GARRISON (No. 24968)

JOSHUA A. FRANK (No. 33294)

NICOLE A. CHANIN (No. 40239)

BARRETT JOHNSTON MARTIN & GARRISON, PLLC

200 31st Avenue North

Nashville, TN 37203

Telephone: (615) 244-2202

Facsimile: (615) 252-3798

dgarrison@barrettjohnston.com

jfrank@barrettjohnston.com

CHARLES P. YEZBAK, III (No. 18965)

MELODY FOWLER-GREEN (No. 23266)

N. CHASE TEEPLES (No. 32400)

YEZBAK LAW OFFICES PLLC

P.O. Box 159033

Nashville, TN 37215

Telephone: (615) 250-2000

Facsimile: (615) 250-2020

yezbak@yezbaklaw.com

teeples@yezbaklaw.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a copy of this *Plaintiffs' Unopposed Motion for Approval of the Parties' Settlement Agreement and Dismissal with Prejudice* was filed electronically with the Clerk's office by using the CM/ECF system and served via the Court's ECF system on the following counsel for Defendants on November 9, 2023:

Marshall T. Cook, Esq. BPR No. 20028
100 Bluegrass Commons Blvd, Ste 2370
Bluegrass Commons II
Hendersonville, TN 37075
Telephone: (615) 780-7975
Fax: (615) 780-7976
mcook@spencerfane.com

James A. Crumlin, Jr. No. 019760
Bethany Vanhooser, BPR No. 38594
Kristen J. Walker, No. 35989
511 Union Street, Suite 1000
Nashville, TN 37219
Telephone: (615) 238-6302
Fax: (615) 238-6302
jcrumlin@spencerfane.com
bvanhooser@spencerfane.com
kwalker@spencerfane.com

Merritt B. Chastain, III (TX # 793491)
3040 Post Oak Boulevard, Suite 1400
Houston, TX 77056
(713) 212-2647
mchastain@spencerfane.com

Attorneys for Defendants

Grace Peck (BPR #038558)
RILEY & JACOBSON PLC
1906 West End Avenue
Nashville, TN 37203-2309
Tel: (615) 320-3738
gpeck@rjfirm.com

Gregory T. Parks
Caitlin McKenna
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103-2921
Tel: (215) 963-5000
gregory.parks@morganlewis.com
caitlin.mckenna@morganlewis.com

Counsel for ADP, Inc.

/s/ David W. Garrison

DAVID W. GARRISON

BARRETT JOHNSTON

MARTIN & GARRISON, PLLC